

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

ETHICON WAVE 10 CASES LISTED IN
EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**DEFENDANTS' NOTICE OF ADOPTION OF PRIOR DAUBERT MOTIONS AND
REPLY BRIEFINGS OF JOHN MIKLOS, M.D. FOR WAVE 10**

Come now, Defendants Ethicon, Inc. and Johnson & Johnson (collectively, "Ethicon"), and hereby move to exclude certain general opinions of one of Plaintiffs' experts, Dr. John Miklos. Defendants adopt and incorporate by reference the *Daubert* motion filed against Dr. Miklos for Ethicon Wave 1 cases, Dkt. Nos. 2032 (motion), 2034 (memorandum in support) and supporting Reply brief, Dkt. 2227, as well as their supplemental briefing filed in Ethicon Wave 3 cases, Dkt. Nos. 2845 and 2847.

Ethicon respectfully requests that the Court exclude Dr. John Miklos's testimony, for the reasons expressed in the Wave 1 and 3 briefings. This notice applies to the Wave 10 cases identified in Exhibit A attached hereto.

Respectfully submitted,

/s/ William M. Gage

William M. Gage (MS Bar #8691)

Butler Snow LLP

1020 Highland Colony Parkway

Suite 1400 (39157)

P.O. Box 6010

Ridgeland, MS 39158-6010

(601) 985-4561

william.gage@butlersnow.com

/s/ Susan M. Robinson

Susan M. Robinson (W. Va. Bar #5169)

Thomas Combs & Spann PLLC

300 Summers Street

Suite 1380 (25301)

P.O. Box 3824

Charleston, WV 24338

(304) 414-1800

srobinson@tcspllc.com

COUNSEL FOR DEFENDANTS

ETHICON, INC. AND JOHNSON & JOHNSON

CERTIFICATE OF SERVICE

I certify that on this date I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage
William M. Gage

EXHIBIT A

Case Name	Case Number	Product
Betty Fields, et al. v. Ethicon, Inc., et al.	2:12-cv-06825	Gynemesh PS ¹

¹ Dr. Miklos's expert report concerns TVT Secur, which is not a product that Ms. Fields was implanted with.